

OCT 13 '10 AM 11:50

TOWN OF UXBRIDGE
21 S. MAIN STREET, UXBRIDGE, MA 01569
BOARD OF SELECTMEN'S MEETING MINUTES
BOARD OF SELECTMEN'S MEETING ROOM
MONDAY, SEPTEMBER 20, 2010 – 7:00PM

Present: Chair Beth Pitman, Vice-Chair Bruce Desilets, Clerk Jay Cahill, Selectman Cari Kay Robertson and Selectman Peter Baghdasarian. Also present Town Manager Michael Szlosek and Administrative Assistant Tracey Ante.

I. CALL TO ORDER AT 7:00PM

- A. Announcements – Mr. Cahill announced he visited Yummies Drive Thru. Mr. Desilets updated the Board as to the clean up efforts at Pout Pond and the painting by the Worcester House of Correction. He thanked the many volunteers throughout the community. Ms. Pitman updated the Board as to the status of the CAC meeting.
- B. Citizen's Forum – No one was present.

II. OLD BUSINESS

- A. FATM Warrant – Discuss and vote inclusion of warrant articles and endorse – The Board discussed who should be the sponsor of certain articles. It was the consensus of the Board the articles be sponsored as follows:
 - Article 1: Transfer of Unexpended Unencumbered Fund Balance to the Water Enterprise Fund. The Town Manager will sponsor this article.
 - Article 2: Transfer of Unexpended Uencumbered to the Peg Cable Access Account. The Town Manager will sponsor this article.
 - Article 3: Transfer to Stabilization. The Board of Selectmen will sponsor this article.
 - Article 4: Prior Year Bills. The Finance Director will sponsor this article.
 - Article 5: FY 11 Budget Amendments. The Finance Director will sponsor the article.
 - Article 6: FY 11 Inter/Intra Departmental Transfers. The Finance Director will sponsor the article.
 - Article 7: Purchase of a New Rescue Apparatus. The Fire Chief will sponsor the article.
 - Article 8: Charter Amendment: Procedures Governing Multiple Member Bodies. The Town Clerk will sponsor this article.
 - Article 9: Acceptance of MGL Chapter 59, Section 5 (4). The Finance Director will sponsor the article.
 - Article 12: Acceptance of Land Donation – Old Elmdale Road. The Finance Director will sponsor the article.
 - Article 24: Amend Article X, Definitions of the Zoning Bylaws. The Board of Selectmen will sponsor the article.
- MOTION by Ms. Robertson to include in the FATM Warrant, Article 1: Transfer of Unexpended Unencumbered Fund Balance to the Water Enterprise Fund, Article 2: Transfer of Unexpended Uencumbered to the Peg Cable Access Account, Article 3: Transfer to Stabilization, Article 4: Prior Year Bills, Article 5: FY 11 Budget Amendments, Article 6: FY 11 Inter/Intra Departmental**

Transfers, Article 7: Purchase of a New Rescue Apparatus, Article 9: Acceptance of MGL, Chapter 59, Section 5 (4), Article 10: Borrowing Rescission; Balance of High School Land Authorization, Article 12: Acceptance of Land Donation – Old Elmdale Road and Article 24: Amend Article X, Definitions of the Zoning Bylaws. Seconded by Mr. Desilets, the motion carried unanimously. MOTION by Mr. Baghdasarian to exclude from the FATM Warrant, Article 8: Charter Amendment: Procedures for Governing Multiple Member Bodies. Seconded by Mr. Desilets, the motion carried unanimously. MOTION by Mr. Desilets to rescind the Board's prior vote on 9/13/10 {9/13/10 MOTION - MOTION by Mr. Baghdasarian to sponsor the Cnossen Article. Seconded by Mr. Desilets, the motion carried 4-1-0 (Ms. Robertson opposed)} for Article 11: Purchase of Cnossen Wellhead Protection Land: Change of Funding Mechanism. Seconded by Ms. Robertson, the motion carried unanimously. MOTION by Mr. Desilets to exclude from the FATM Warrant, Article 11: Purchase of Cnossen Wellhead Protection Land: Change of Funding Mechanism. Seconded by Ms. Robertson, the motion carried unanimously. All other inclusions are by Boards or by Citizen Petitions. (Warrant attached to the minutes).

III. NEW BUSINESS

- A. Vote "intention" to layout – Deerview Lane, Foxwood Lane, Wildlife Drive, Long Meadow Road, Buttermilk Way, Stanphyl Road, Jodie Circle, Julia Drive, Cassie Lane and Rose Lane – MOTION by Mr. Desilets that the Board vote the intention to layout and make public way Deerview Lane, Foxwood Lane, Wildlife Drive, Long Meadow Road, Buttermilk Way, Stanphyl Road, Jodie Circle, Julia Drive, Cassie Lane and Rose Lane. Seconded by Mr. Baghdasarian, the motion carried unanimously.
- B. High School Project - Inter/intra fund borrowing – Mr. David Genereux was present and discussed the interfund borrowing. Following discussion, MOTION by Mr. Desilets that the Board authorize the Treasurer in accordance with the MGL, Chapter 44, Section 20A, for the purpose of paying expenses associated with the \$43,050,000 project that was authorized under Article 1 of the June 19, 2010 Special Town Meeting, and Exempted from the limitations of Proposition 2 ½, so-called, under Ballot Question at the Town Election at the Town Election called for June 22, 2010. Seconded by Mr. Cahill, the motion carried unanimously. MOTION by Mr. Desilets to endorse the Advance of Funds in Lieu of Borrowing Report. Seconded by Mr. Cahill, the motion carried unanimously.

IV. MEMBER ISSUES

Mr. Baghdasarian addressed concerns with DEP and their lack of assistance with a Board of Health complaint. He recommended contacting our local representatives to advise them of the concerns and/or complaints. The Town Manager will draft a letter to Sen. Moore, Rep. Callahan and Rep. Kujawski. Mr. Baghdasarian commented on the Police Department energy use and report.

V. TOWN MANAGER

The Town Manager updated the Board as to the discussion with Town Counsel and the Town's expectations.

VI. ADJOURNMENT: Next BOS Meeting September 27, 2010.

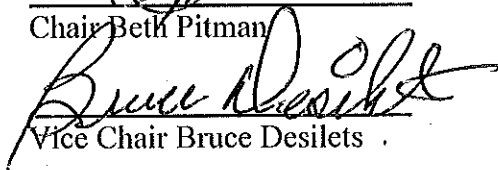
At 8:20PM, MOTION by Mr. Cahill to adjourn the meeting. Seconded by Mr. Desilets, the motion carried unanimously.

Minutes respectfully submitted by, Tracey Ante


Minutes approved by Board of Selectmen:



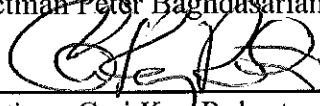
Chair Beth Pitman



Vice Chair Bruce Desilets



Selectman Peter Baghdasarian



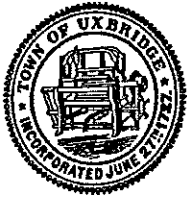
Selectman Cari Kay Robertson

Clerk Jay Cahill

10/12/10

Date Approved

Attachments/DVD



orig.

SEP 16 '10 AM 11:18



TOWN OF UXBRIDGE
21 S. MAIN STREET, UXBRIDGE, MA 01569 – PHONE 508-278-8600
BOARD OF SELECTMEN'S MEETING
BOARD OF SELECTMEN'S MEETING ROOM
MONDAY, SEPTEMBER 20, 2010 – 7:00PM

Authorized Signature _____ *J M Antle* _____

- I. CALL TO ORDER AT 7:00PM**
 - A. Announcements
 - B. Citizen's Forum

- II. OLD BUSINESS**
 - A. FATM Warrant – Discuss and vote inclusion of warrant articles and endorse

- III. NEW BUSINESS**
 - A. Vote "intention" to layout – Deerview Lane, Foxwood Lane, Wildlife Drive, Long Meadow Road, Buttermilk Way, Stanphyl Road, Jodie Circle, Julia Drive, Cassie Lane and Rose Lane
 - B. High School Project - Inter/intra fund borrowing

- IV. MEMBER ISSUES**

- V. TOWN MANAGER**

- VI. ADJOURNMENT: Next BOS Meeting September 27, 2010**

ADVANCE OF FUNDS IN LIEU OF BORROWING REPORT

Town of Uxbridge

Purpose of Issue: High School Design and Construction

Authorization: June 19, 2010 Special Town Meeting, Article 1, Chapter 44, Section 7(3), Chapter 70B; Exempted from the limitations of Proposition 2 ½, so-called, under Ballot Question at the Town Election called for June 22, 2010.

Grant Number:

A. Amount of Loan Authorized		\$43,050,000.00
Computation of the Limit on Total of Advances		
B. Unappropriated Free Cash	\$0.00	
C. Stabilization Fund	\$1,240,733.00	
D. 1% of FY 2011 Budget	\$336,753.57	
E. Greatest of Line B, C, D	\$1,240,733.00	
F. Other Advances Outstanding	\$0.00	
G. Remaining Limit (line E less line F)		\$1,240,733.00
H. Amount to be Advanced – This Issue		\$1,000,000.00

Date of Advance: 09/20/2010

Treasurer

Approved: _____

Majority of Selectmen

Please send 1st Copy to: Accountant or Auditor

See IGR #92-105 for instructions and auditing procedures

Date of Repayment to General Fund: _____

Accountant/Auditor

Please send 2nd Copy to: Division of Local Services
Public Finance Section
P.O. Box 9569
Boston, MA 02114-9569

Joslin, Lesser + Associates, Inc.

44 Pleasant Street
Watertown, MA 02472

Invoice

DATE	INVOICE #
9/1/2010	11

BILL TO
Don Sawyer, Business Manager Uxbridge Public Schools 21 South Main Street Uxbridge, MA 01569

PROJECT
Uxbridge High School

DESCRIPTION	AMOUNT
Design Develop, Construction Docs, Bidding and CA for Early Packages - ProPay 0102-0400	23,500.00
Total	\$23,500.00



Project Management

ADVANCE OF FUNDS IN LIEU OF BORROWING REPORT

Town of Uxbridge

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H. Amount to be Advanced – This Issue		\$1,000,000.00

Date of Advance: 09/20/2010

Treasurer

Approved: _____

Majority of Selectmen

Please send 1st Copy to: *Accountant or Auditor*

See IGR #92-105 for instructions and auditing procedures

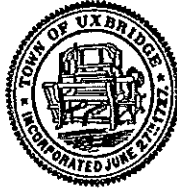
Date of Repayment to General Fund: _____

Accountant/Auditor

Please send 2nd Copy to: Division of Local Services
Public Finance Section
P.O. Box 9569
Boston, MA 02114-9569

9/20 3:45PM

DRAFT
SPONSORSHIP, MOTIONS, RECOMMENDATIONS & COMMENTARY SUBJECT TO
CHANGE



ANNUAL TOWN MEETING WARRANT
TUESDAY, NOVEMBER 16, 2010 – 7:00 P.M.
HIGH SCHOOL AUDITORIUM
62 CAPRON STREET, UXBRIDGE, MASSACHUSETTS

WORCESTER, S.S.
TO EITHER OF THE CONSTABLES OF THE TOWN, IN SAID COUNTY;
GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, YOU ARE DIRECTED TO NOTIFY THE INHABITANTS OF THE TOWN OF UXBRIDGE, QUALIFIED TO VOTE IN THE TOWN ELECTIONS AND IN TOWN AFFAIRS, TO MEET AT THE HIGH SCHOOL AUDITORIUM, IN PRECINCT 2, IN SAID UXBRIDGE, ON THE FOLLOWING ARTICLES TO WIT:

* * *

The amount of Unexpended Unencumbered Fund Balance (Free Cash), as certified by the DOR Director of Accounts on [Date] is (\$_____). Certified Retained Earnings for the Enterprise Funds are as follows: Sewer Enterprise Fund (\$_____); Water Enterprise Fund (\$_____) and Ambulance Enterprise Fund (\$_____)

The term Unexpended Unencumbered Fund Balance is a more descriptive wording of what is commonly referred to as "Free Cash". The Board of Selectmen and Finance Committee believe that Free Cash is a misnomer, as these funds represent monies remaining after all general fund activities for the fiscal year, plus any unanticipated receipts, and less any revenue deficits or fund liabilities that are recorded. This new designation replaces last year's term "General Fund Retained Earnings".

ARTICLE 1: TRANSFER OF UNEXPENDED UNENCUMBERED FUND BALANCE TO WATER ENTERPRISE FUND

To see if the Town will vote to transfer and appropriate a sum or sums, including Unexpended Unencumbered Fund Balance to the Water Enterprise Account, or take any action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

COMMENTARY: *This article serves to transfer a portion of FY 2010 General Fund Retained Earnings, in the amount of \$22,023, that is related to the settlement of a class action products liability lawsuit that was brought against manufacturers and distributors of gasoline containing MTBE for ground water contamination to the Water Enterprise Fund. Monetary settlements are considered to be general fund receipts per M.G.L., even if they are related to specific activities that are not funded by general government operations. The settlement represents a potential diminution in the value of a tangible asset; the Town's water resources. The Board of Selectmen believes that these funds should be placed in the Water Enterprise Fund as an offset to that diminution.*

MOTION: *Move that the Town vote to transfer and appropriate the sum of \$22,023 from Unexpended Unencumbered Fund Balance to the Water Enterprise Fund.*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE:

MOTION: *Move that the Town vote to transfer and appropriate amounts as stated in the following chart, which represent amounts unpaid on FY 2010 bills, for any purpose for which funds may be expended from the latter accounts, each item being considered a separate appropriation for FY 2011:*

COMMENTARY: *The Town requires that all bills outstanding at the close of the fiscal year be submitted to Accounting by July 15th. If the bill is not available, funds are encumbered for payment at a later date. These invoices, for varying reasons, were not brought forward until after all remaining FY 2010 departmental funds were turned back as part of the Unexpended Unencumbered Fund Balance certification process.*

Payee/Department	Amount Due	Department	Account Number	Further Commentary

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE:

VOTE NEEDED: Requires a 4/5th's majority vote

ARTICLE 5: FY11 BUDGET AMENDMENTS

To see if the Town will vote to transfer from available funds, including Unexpended Unencumbered Fund Balance, stabilization and enterprise retained earnings, and appropriate, or to raise and appropriate, or to approve budget reductions, in order to balance the FY 2011 Town Budget approved under Articles 4, 6, 7, 8, 9 and 10 of the May 11, 2010 Annual Town Meeting, or take any other action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

COMMENTARY: *The purpose of the article is to make adjustments to balance the FY 2011 budget as voted at the Spring Annual Town Meeting; including new appropriations and/or budget reductions. Please see the spreadsheets at the back of this booklet for comparisons between the budget voted at the Spring Annual Town Meeting and the budget that will be in place if the appropriation changes listed below are enacted.*

MOTION: *Move that the Town vote to reduce, raise, transfer and appropriate the amounts as stated in the following chart for any purpose for which funds may be expended from the latter accounts, each item being considered a separate appropriation for FY11:*

Budget Line	Amount	Further Commentary

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE:

VOTE NEEDED: Requires a simple majority vote provided none of the money is coming from Stabilization. A transfer from Stabilization requires a 2/3rds majority vote.

ARTICLE 6: FY11 INTER/INTRA DEPARTMENTAL TRANSFERS

To see if the Town will vote to transfer and appropriate from available funds, including funds previously appropriated to other uses or Unexpended Unencumbered Fund Balance and enterprise fund retained earnings, or to raise a sum or sums of money to appropriate to accounts and for purposes to be specified at the Fall Annual Town Meeting, or take any action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

ARTICLE 9: ACCEPTANCE OF M.G.L. CHAPTER 59, SECTION 5 (4)

To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, Section 5 (54) effective July 1, 2011, to exempt assessment of taxes for personal property accounts with valuations of less than \$1,000, or take any action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

COMMENTARY: *The article requests acceptance of a section of MGL which allows a city or town to establish a minimum fair cash value for personal property tax accounts. The minimum valuation request is being established at \$1,000.00 because the costs associated with committing, mailing, and posting payments for low value accounts may exceed the amount to be collected. With the adoption of this minimum value, twenty five accounts, with an average valuation of \$523.20 or total value of \$13,080, will be exempt from billing, effective for FY 2012. Total effect on the tax levy, in FY 2011 terms, is \$6.56 per account or a total of \$164.15.*

MOTION: *Move that the Town vote to accept the provisions of M.G.L. Chapter 59, Section 5 (54) effective July 1, 2011, to exempt assessment of taxes for personal property accounts with valuations of less than \$1,000.00.*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE:

VOTE NEEDED: Requires a simple majority vote.

ARTICLE 10: BORROWING RESCISSION; BALANCE OF HIGH SCHOOL LAND AUTHORIZATION

To see if the Town will vote to rescind the remainder of the \$1,630,000 borrowing authorization, in the amount of \$260.00, as authorized in Article 12 of the November 15, 2005 Fall Annual Town Meeting, and the January 17, 2006 Special Election Ballot or take an action relative thereto.

SPONSOR: Board of Selectmen (Town Manager)

COMMENTARY: *Article 14 of the November 18, 2008 contained a motion which rescinded the balance of the \$1,630,000 authorization that was not needed for the purchase of land for the new high school which was voted in 2005/2006 and issued as permanent funding in April of 2008. The Town purchased the two parcels of land for \$1,249,140. The remaining authorization of \$380,860 was to have been rescinded. The motion at that Town Meeting rescinded \$380,600, leaving an outstanding authorization of \$260.00.*

MOTION: *Move to rescind the remainder of the \$1,630,000 borrowing authorization, in the amount of \$260.00 as authorized in Article 12 of the November 15, 2005 Fall Annual Town Meeting and the January 17, 2006 Special Election Ballot.*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE:

VOTE NEEDED: Requires a simple majority.

ARTICLE 11: PURCHASE OF CNOSSEN WELLHEAD PROTECTION LAND; CHANGE OF FUNDING MECHANISM

To see if the Town will vote to amend the authorization granted as Article 17 of the May 13, 2008, Spring Annual Town Meeting, by changing the article language from:

“To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of funds for the purpose of purchasing certain parcels of land known as the “Cnossen Well Land” off of Commerce Drive, and incidental expenses related thereto, for the benefit of the Water Division of the Department of Public Works for a future well field site. Said parcels are more specifically described as Map 40, Parcels 3085 and 3086, and further to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$550,000 under Chapter 44 of the General Laws or any other enabling authority; that the Board of Selectmen is authorized to apply for and accept any federal or state

To see if the Town will vote to Accept as a public way the street known as Rose Lane as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town; or take any other action relating thereto.

SPONSOR: Citizen's Petition

COMMENTARY:

MOTION: *Motion, if any to be provided by the petitioner.*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE;

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Requires a simple majority (M.G.L. c.83 §. 23)

ARTICLE 14: STREET ACCEPTANCE – JODIE CIRCLE

To see if the Town will vote to (a) to accept as public way Jodie Circle as laid out by the Board of Selectmen, a copy of which layouts are on file with the Town Clerk; (B) to authorize the Board of Selectmen, in the name and behalf of the town, to acquire by gift, purchase, or eminent domain the necessary fee interests or easements and appurtenant rights in and for said ways for the purposes for which public ways are used in the town; and (c) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action relating thereto.

SPONSOR: Citizen's Petition

COMMENTARY:

MOTION: *Motion, if any to be provided by the petitioner*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Requires a simple majority (M.G.L. c.83 §. 23)

ARTICLE 15: STREET ACCEPTANCE – LONG MEADOW ROAD

To see if the Town will vote to (a) to accept Long Meadow Road as a public way, as laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk; (b) to authorize the Board of Selectmen, in the name and behalf of the town, to acquire by gift, purchase, or eminent domain the necessary fee interests or easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town; and (c) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action relating thereto.

SPONSOR: Citizen's Petition

COMMENTARY:

MOTION: *Motion, if any to be provided by the petitioner*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE;

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Requires a simple majority (M.G.L. c.83 §. 23)

ARTICLE 16: STREET ACCEPTANCE – FOXWOOD LANE, DEER VIEW LANE AND WILDLIFE DRIVE

To see if the Town will vote to (a) to accept Foxwood Lane, Deer View Lane and Wildlife Drive as public ways, as laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk; (b) to authorize the Board of Selectmen, in the name and behalf of the town, to acquire by gift, purchase, or eminent domain the necessary fee interests or easements and appurtenant rights in and for said ways for

MOTION: *Motion, if any to be provided by the petitioner*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Requires a simple majority (M.G.L. c.83 §. 23)

ARTICLE 20: STREET ACCEPTANCE – BUTTERMILK WAY

To see if the Town will vote to accept as public way the street known as Buttermilk Way as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town; or take any other action relating thereto.

SPONSOR: Citizen's Petition

COMMENTARY:

MOTION: *Motion, if any to be provided by the petitioner*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE;

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Requires a simple majority (M.G.L. c.83 §. 23)

ARTICLE 21: AMEND CHAPTER 400 ARTICLE V GENERAL REGULATIONS OF THE ZONING BYLAWS – COMMON DRIVEWAYS

To see if the Town will vote to amend Chapter 400 ARTICLE V General Regulations of the ZONING BYLAWS by inserting the following language in the currently reserved section 400-15 to be titled COMMON DRIVEWAYS

400-15 Common Driveways

A. Purpose

The purpose of this by-law is to promote public safety; avoid the alteration of the physical appearance of the land; minimize the alteration of wetland resource areas and topographical characteristics, including the removal of rock outcrops, significant fill or grading, removal of trees and other vegetation, or the removal of buildings of historical or architectural merit. All driveways shall be constructed in a manner ensuring reasonable and safe access for all vehicles including, but not limited to, emergency, fire and police vehicles.

B. Applicability

1. Common driveways, serving not more than two (2) lots are allowed by right.
2. Common driveways serving between three (3) and four (4) lots may be allowed by special permit in all zoning districts. Common driveways may not serve more than four (4) lots.

C. Special Permit Granting Authority

The Planning Board shall be the Special Permit Granting Authority for three (3) or more common driveways.

1. The Planning Board shall consider recommendations from the Police Chief, the Fire Chief, the Highway Superintendent and the Town Engineer.
2. The Planning Board may establish and assess reasonable fees for the permit application.
3. Strict compliance with the requirements of this by-law may be waived when, in the judgment of the Planning Board, such action is in the public interest and not inconsistent with this by-law. In waiving strict compliance, the Board may require such alternative conditions as will serve substantially the same objective as the standards being waived. Further, the Planning Board may adopt, and from time to time amend regulations, policies, or lend guidance in the implementation and administration of this by-law.

D. Administration

The submittal package shall include the Special Permit Application Form, a certified abutters list for all property owners within 300 feet of the properties being served, a plan showing the proposed driveway

MOTION:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE;

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Requires 2/3rds majority.

ARTICLE 22: AMEND CHAPTER 400 ARTICLE VII SPECIAL RESIDENTIAL REGULATIONS OF THE ZONING BYLAWS – RETREAT LOTS

To see if the Town will vote to amend Chapter 400 ARTICLE VII Special Residential Regulations of the ZONING BYLAWS by inserting the following language in the currently reserved section 400-32 to be titled RETREAT LOTS:

For the purpose of providing reasonable use of backland, for single family residential use, there may be established so called retreat lots, also called pork chop lots or hammer head lots, the building upon which may be authorized by the Planning Board subject to the following conditions:

- A. Such lot shall be entirely within residential zoning district R-A, R-B, R-C, or the Agriculture Zone.*
 - B. Such lot shall have a minimum street frontage of 30 feet and a width of not less than 30 feet at all points between the street and the nearest part of the principal building.*
 - C. The area of such lot shall be at least 1.5 times the minimum area otherwise required.*
 - D. Such lot shall otherwise be in compliance with all other requirements of the Zoning Bylaws applicable to the zoning district in which such lot is located.*
 - E. Such lot shall not have contiguous frontage with any other lot owned by the same individual, group individuals, or other common entity that has been granted a building permit pursuant to this section.*
 - F. No building permit shall be issued pursuant to this section unless such lot is situated on a public way/private way in the Town of Uxbridge.*
 - G. Any dwelling constructed on such lot shall be a single-family home.*
 - H. Once a retreat lot with reduced frontage is approved by the Planning Board, it can not be subsequently divided into further lots.*
- Or take any other action related thereto.*

SPONSOR: Planning Board

COMMENTARY:

MOTION:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE FINANCE COMMITTEE;

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Requires 2/3rds majority.

ARTICLE 23: AMEND THE ZONING BYLAWS SECTION 400-13, APPENDIX B – TABLE OF DIMENSIONAL REQUIREMENTS

To see if the Town will vote to amend the Zoning Bylaws Section 400-13, Appendix B – Table of Dimensional Requirements, footnote 3 by adding the language after the word “Plus”... “for an Apartment House...” and deleting the word “dwelling” and replacing it with “apartment”. The amended footnote should read “Plus, for an Apartment House, 8,000 square feet per additional apartment unit over one (1), up to four (4) apartment units per lot.

SPONSOR: Citizen’s Petition

COMMENTARY:

MOTION: *Motion, if any to be provided by the petitioner*

RECOMMENDATION OF THE BOARD OF SELECTMEN:

* * * * *

And you are directed to serve this warrant by posting up attested copies thereof, one at the Town Hall, one at the Uxbridge Post Office, one at the North Uxbridge Post Office and one at the Linwood Post Office, at least fourteen (14) days before the time of holding said meeting.

Hereof, fail not and make due return of this warrant, with your doings thereon, to the Town Clerk at the time of the meeting aforesaid.

Given under our hands this 20th day of September in the year 2010.

Uxbridge Board of Selectmen:

Beth A. Pitman, Chairman

Bruce Desilets, Vice Chairman

Jay Cahill, Clerk

Cari Kay Robertson, Selectman

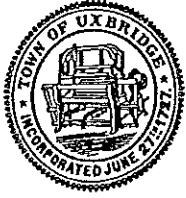
Peter Baghdasarian, Selectman

A True Copy – Attest:

Constable, Town of Uxbridge

Date

9/20 BOS^{6th} needs to
vote to move
forward



TOWN OF UXBRIDGE
OFFICE OF THE FINANCE DIRECTOR
TOWN TREASURER/COLLECTOR
21 South Main Street
Uxbridge, MA 01569-1851
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David A. Genereux
Finance Director

DATE: September 20, 2010
TO: Michael Szlosek, Town Manager
FROM: David Genereux, Finance Director *DG*
RE: Potential purchase funding (Part 2)

I am writing to offer updated information regarding a funding recommendation regarding the purchase of the Cnossen property, and to comment on issues regarding the roof of the Farnum House, and finally an update on the school project borrowing.

Purchase of the Cnossen Property (\$500,000):

Article 11 of the revised warrant contained a revised warrant article changing the mechanism used to fund the purchase of the Cnossen property from a borrowing authorization to a transfer from water retained earnings. The Board voted at its last meeting to authorize the warrant article making that change.

I would like to have the Board entertain another option. The Town could go forward with its initial funding mechanism by borrowing the funds, and do away with the revised warrant article. The Water Enterprise budget would then pay down the debt for the acquisition by appropriating the annual debt payment for the property from water retained earnings.

There are a few important reasons to consider this option:

- 1.) The water enterprise would be able to keep its retained earnings at a healthier level from year to year by not paying for a large drawdown during a single fiscal period.
- 2.) It would also not put the original authorization at risk. While the original warrant article would still be in force if this article failed, someone could potentially put forth a substitute motion revoking the authorization. It would be up to the Moderator to determine if such a motion would be out of order.
- 3.) We would also accomplish the same overall goal of purchasing the land without establishing a new CIF rate.

If this option is chosen, the Board would merely have to vote to rescind its action from last week.